



**Office of the Attorney General
Paul G. Summers**

NEWS RELEASE

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**SOME TENNESSEE CANCER PATIENTS TO RECEIVE MONEY BACK AS PART OF
ANTITRUST AGREEMENT**

Tennessee Attorney General Paul G. Summers today announced that some consumers of a popular anticancer drug will be getting restitution after they were allegedly overcharged for the drug. Checks totaling nearly \$265,000 were to be mailed to affected Tennesseans today as a result of an agreement with Bristol-Myers Squibb Company, maker of Taxol, known generically as Paclitaxel.

As part of the court-approved agreement, each patient who fully paid for a single treatment with the physician-administered drug will be paid \$525. Those who fully paid for more than one treatment will receive \$438 for each verified treatment.

"We appreciate the patience of Tennesseans affected during these legal proceedings and are glad that those who were overcharged will be compensated," General Summers said.

The agreement was reached in an antitrust case in federal District Court for the District of Columbia in which Attorney General Summers joined the attorneys general of the other 49 states, the District of Columbia and U.S. territories as counsel for a class of individual consumers who paid for Taxol and its generic equivalent paclitaxel. The lawsuit asserted that, because of invalid patents claimed by Bristol-Myers Squibb Company for its anticancer drug Taxol, lower cost generic substitutes were delayed in arriving on the market resulting in higher prices to those who paid for the drug. In November 2003 the Court approved a settlement negotiated by the Attorneys General on behalf of consumers in all the states and territories.

As a result of the agreement, individuals who paid all or part of the cost for treatments with

Taxol or paclitaxel, during the period from January 1, 1999 through February 28, 2003, and who submitted valid claims during the court-established claims period ending February 29, 2004, will receive reimbursement. Nationally, 12,723 consumers will recover a total of \$7,242,114.